

REMARKS

Reconsideration of the above referenced application in view of the enclosed amendments and remarks is requested. Claims 1-21 remain in the application.

ARGUMENT

Claims 1-21 are rejected under 35 USC 103(a) as being unpatentable over Juels, et al. (2002/0029341)(hereinafter Juels), in view of Pering, et al. (2004/0093527)(hereinafter Pering).

The Office action of September 22, 2006 rejects the claims at paragraph 4 under the heading of 35 USC 102, yet the Office action then goes on to list the combination of two references as rendering the claims unpatentable. The Applicants are operating under the assumption that the 102 heading was a mistake, since for a valid 102(e) rejection only one prior art reference may be used. Instead, it is assumed that the Examiner intended to reject the claims under 35 USC 103(a) using the combination of the teachings of the two cited references. In fact, the rest of the rejection supports this view.

The Office action cites Pering as teaching various claim limitations. The inventive entity of the Pering application is the same as the inventive entity of the present application (i.e., same set of inventors). The Pering application (serial number 10/293,007) was, at the time the present invention was made, assigned to Intel Corporation. The present application is also assigned to Intel Corporation. Therefore, Pering is not prior art under 103(c) for the present claims, because both applications were owned by the same person or subject to an obligation to assign to the same person (Intel Corporation) at the time the invention was made. Accordingly, without Pering, a prima facie case of obviousness has not been made for claims 1-21, since the Office action admits that Juels alone does not teach or suggest all claim limitations. Hence, all claims are allowable as presented.

CONCLUSION

In view of the foregoing, Claims 1-21 are all in condition for allowance. If the Examiner has any questions, the Examiner is invited to contact the undersigned at (503) 264-8074. Early issuance of Notice of Allowance is respectfully requested.

Respectfully submitted,

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